

in conformity with section 10 of the act, conditioned in part that it be canceled under the supervision of this department and the bad portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

13011. Adulteration and misbranding of hominy feed. U. S. v. 500 Sacks of Hominy Feed. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18845. I. S. No. 22262-v. S. No. E-4886.)

On or about July 21, 1924, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 500 sacks of hominy feed, consigned June 11, 1924, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Corno Mills, from East St. Louis, Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Corno Hominy Feed Guaranteed Analysis: Protein 10.00 Fat 7.00 * * * Made By The Corno Mills Co. Address: East St. Louis, Ill."

Adulteration of the article was alleged in the libel for the reason that a substance, a wheat and oat by-product, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements, "Protein 10.00 Fat 7.00, Hominy Feed," borne on the tags attached to the sacks containing the article, were false and misleading and deceived and misled the purchaser, in that the said statements represented that the article contained 10 per cent of protein and 7 per cent of fat, whereas it contained less protein and less fat than declared on the label.

On August 15, 1924, the Corno Mills Co., East St. Louis, Mo., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,675, in conformity with section 10 of the act, conditioned in part that it be relabeled to show its content of wheat and oat by-products.

W. M. JARDINE, *Secretary of Agriculture.*

13012. Misbranding and alleged adulteration of vinegar. U. S. v. 80 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15612. I. S. No. 6924-t. S. No. E-3647.)

On November 12, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 80 barrels of vinegar, shipped from New York into Connecticut in interstate commerce, and remaining in the original unbroken packages at Bridgeport, Conn., alleging that the article had been shipped by the Douglas Packing Co., on or about October 26, 1921, into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Barrel) "Douglas Packing Co. Excelsior Brand Apple Cider Vinegar Made From Selected Apples Reduced to 4 Per Centum Rochester N. Y."

It was alleged in substance in the libel that the article was adulterated in that apple waste vinegar had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the article.

Misbranding was alleged in substance for the reason that the labels on the barrels containing the article bore the following statement, "Apple Cider Vinegar Made From Selected Apples," which was false and misleading and deceived and misled the purchaser, in that the said statement represented that the product was apple cider vinegar, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, apple cider vinegar.

On or about December 17, 1924, the Douglas Packing Co., Inc., Rochester N. Y., claimant, having consented to the entry of a decree, judgment of the court was entered, finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said prod-